

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MONSANTO COMPANY, <i>et al.</i> ,)	
)	C.A. No. 04-305-SLR
Plaintiffs,)	C.A. No. 04-908-SLR
)	(Consolidated)
v.)	
)	
SYNGENTA SEEDS, INC., <i>et al.</i> ,)	
)	
Defendants.)	

STIPULATION AND ORDER OF DISMISSAL

Plaintiffs Monsanto Company et al. and Defendants Syngenta Seed, Inc., et al., by and through their undersigned counsel, hereby jointly stipulate, subject to the terms of a confidential written agreement between the parties, to the dismissal of the parties' respective claims and counterclaims with prejudice. Each party shall bear its own attorneys' fees and costs.

Respectfully submitted,

POTTER ANDERSON & CORROON LLP

/s/ David E. Moore
Richard L. Horwitz (#2246)
David E. Moore (#3983)
Hercules Plaza, 6th Floor
1313 N. Market Street
Wilmington, DE 19801
(302) 984-6000

YOUNG CONAWAY STARGATT &
TAYLOR, LLP

/s/ John W. Shaw
John W. Shaw (No. 3362)
Michele Sherretta Budicak (No. 4651)
The Brandywine Building, 17th Floor
1000 West Street
Wilmington, Delaware 19801
(302) 571-6600

SO ORDERED:

Judge Sue L. Robinson

Date